

## **APPLICATION FOR STREET OR ALLEY CLOSING**

### **Code of Ordinances Sec. 110-5. Procedure for requesting street closings.**

*Dedicated streets or alleys in the city which are not used or needed for such purpose may be closed by the city council as provided in this section. On petition of all property owners abutting on any such street or alley, and all persons interested in such abutting property, the city council may vacate or close any street or alley upon a proper showing that such street or alley is not used or needed for such purpose. The petitioners shall, at their expense, furnish the city council with a survey showing such area and the property of each of the petitioners abutting thereon. Such survey shall disclose any easements or uses then made by the city. The petitioners shall also furnish, at their expense, either an abstract of title to their property or a certificate of title from a reputable attorney showing the petitioners to be the owners and all persons interested in the property abutting on the street or alley sought to be closed. The petitioners shall prepay all expenses of advertising any ordinances passed by the city council to vacate or close any alley or street on such application.*

For Additional Information contact:

**DEPARTMENT OF PLANNING & DEVELOPMENT  
LAND DEVELOPMENT DIVISION  
P. O. BOX 17  
JACKSON, MS 39205  
PHONE: 601-960-2071**

**SITE PLAN REVIEW COORDINATOR : JOSEPH WARNSLEY**

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**STREET, ALLEY, OR R. O. W. CLOSING  
OR A PERMANENT EASEMENT ACROSS PUBLIC R. O. W.**

***GENERAL INSTRUCTIONS FOR REQUESTING STREET CLOSURE:***

Section 110-5 of the Code of Ordinances for the City of Jackson gives the requirements which must be met before the City can vacate (close) a street or alley. A two-step process has been established which will fulfill the requirements of the Ordinance and allow representatives of City Departments to determine whether the land is still needed by the City or will negatively affect the community. Since street and/or alley closures are a legal process, it is recommended that the petitioner retain a reputable attorney familiar with the process. Those steps are as follows:

**I. STREET CLOSING APPLICATION**

- A. **Application for Street Closing** consisting of form on page 3 and items b, c & d.
- B. **Petition** (can be in letter form). All property owners who own property on the block that adjoins the portion of the street or alley to be closed or property adjoining the alley must join in the petition. This petition must be notarized.
- C. **Survey**: A survey drawing, prepared by a licensed engineer or land surveyor, showing public utility locations or easements, and a legal description of those easements and the portion of the street or alley to be closed must be included in the petition.
- D. **Certificate of Title**: The petitioner(s) must furnish either an abstract or title to their property or a Certificate of Title from a reputable attorney showing the petitioner(s) to be the owners of all the property abutting on the block of the street or alley to be closed. Even if property adjoins a portion of the street that is not being closed but is in the same block or section of the street, that property owner must join in the petition. Copies of Deeds are not sufficient because this does not necessarily show current ownership or correct title.

**II. APPLICATION FOR SITE PLAN REVIEW**

- A. **Site Plan Review Application** consisting of all items listed in part I, a completed Site Plan Review Application and \$151.00 application fee. The Site Plan Review Application can be obtained at the Land Development office.

The Site Plan Review Committee consists of representatives of various City Departments who evaluate any possible impact that might accrue to the city or other interests should the street or alley or r. o. w. be closed or over which the permanent easement is sought.

Typical concerns might be: accessibility for emergency vehicles, maintaining needed easements for public infrastructure, inaccessibility for other residents in the area, and many others.

After reviewing the application, the Site Plan Review Committee will recommend either approval or rejection of the petition. The fee for Site Plan Review is \$151.00. Upon approval by the Committee, the Zoning Administrator will post a sign at the point of closure, for a minimum of fifteen (15) calendar days informing the general public of the proposed closure. At the conclusion of this fifteen (15) day period, the Ordinance to Abandon the street/alley will be placed on the agenda for consideration by the City Council.

In addition to the Site Plan Review Application fee of \$151.00 the petitioner(s) must prepay all expenses associated with the advertising of any Ordinance passed by City Council.

## APPLICATION FOR STREET or ALLEY CLOSING

**DATE:** \_\_\_\_\_

The following adjoining property owners do hereby apply for:

\_\_\_\_\_ Abandonment of a street, alley or right of way (r. o. w.) shown on the attached survey

\_\_\_\_\_ Permanent easement as shown of the attached survey

Attached hereto are:

- Certificates of Title or Abstract of Title for each property adjoining said street, alley, or R. O. W.
- Survey showing adjacent property lines and owners, streets, all utilities, and easements.
- Petition or letter from all adjoining property owners with notarized signatures.
- Legal Description of section of street or alley to be closed.

### NAME AND ADDRESS(ES) OF APPLICANT(S):

Name

Address

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### LEGAL REPRESENTATIVE(S):

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### ENGINEER/SURVEYOR:

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